

**MANDELBAUM SALSBERG, PC**

Jeffery M. Rosenthal

3 Becker Farm Road, Suite 105

Roseland, NJ 07068

973-736-4600

Attorney for Creditor, WRI Property Management

**United States Bankruptcy Court**

District of New Jersey

	)	
	)	
	)	Case No. 19-22978 MBK
	)	
In re	)	
Anthony Martinez, Debtor	)	Chapter 13
_____	)	
	)	

**NOTICE OF MOTION TO VACATE THE ORDER TO REIMPOSE STAY AGAINST  
WRI PROPERTY MANAGEMENT**

WRI PROPERTY MANGEMENT has filed papers with the Court to Vacate the Order to Reimpose the Automatic Stay as to WRI Property Management.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you wish to consult one).**

If you do not want the Court to grant relief sought in Motion, or if you want the Court to consider your view on the Motion, then on or before **December \_\_, 2019**, you or your attorney must:

File with the Court a written request for a hearing {or, if the Court requires a written response, an answer, explaining your position} at:

Clarkson S. Fisher U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

You must also mail a copy to:

Mandelbaum Salsburg, PC  
Attorneys for the Creditor  
3 Becker Farm Road, Suite 105  
Roseland, NJ 07068

Albert Russo  
1 AAA Drive, Suite 101  
Robbinsville, NJ 08691

Attend the hearing to be held on **January \_\_, 2020** at 9:00 a.m. in the Courtroom of Judge Michael B. Kaplan, U.S.B.J., United States Bankruptcy Court, 402 East State Street, Trenton, N.J. 08608.

If you, or your attorney, do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting relief.

In the instant Motion the basis for the relief requested does not present complicated questions of fact or unique questions of law. I would submit, therefore, that no brief is necessary in the Court's consideration of this Motion.

Date: December 11, 2019

/s/ Jeffrey M. Rosenthal  
Jeffrey M. Rosenthal, Esq.  
Mandelbaum Salsburg, PC  
3 Becker Farm Road, Suite 105  
Roseland, NJ 07068

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IN THE MATTER OF:

UNITED STATES BANKRUPTCY  
COURT FOR THE DISTRICT OF  
NEW JERSEY

Anthony Martinez, Debtor

CHAPTER 13 CASE NO. 19-22978/MBK

CREDITORS CERTIFICATION IN  
SUPPORT OF MOTION TO VACATE  
STAY

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I, Heidi Melendez, by way of Certification hereby state:

1. I am the Evictions Coordinator for the Creditor, WRI Property Management and I am authorized to make this certification.
2. The Debtor, Anthony Martinez file a Motion to Reinstate the Automatic Stay on November 5, 2019.
3. The Debtor, Anthony Martinez in his Certification to the Court, certifies that he remained current with the post-petition rent payments which is not correct.
4. The November rent payment was due on November 1, 2019. The Debtor, Anthony Martinez Certification was signed and filed on November 5<sup>th</sup> 2019.
5. The Debtor, Anthony Martinez made payment for the November 1, 2019 rent payment on December 4, 2019.

6. Presently, the December 1, 2019 rent is due. As of today's date, December 13, 2019, the Debtor, Anthony Martinez has not made the December 1, 2019 rent payment.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: December 13, 2019

/s/ Heidi Melendez  
Heidi Melendez, Evictions Coordinator for the  
Creditor, WRI PROPERTY MANAGMENT

MANDELBAUM SALSBERG, PC  
Jeffery M. Rosenthal  
3 Becker Farm Road, Suite 105  
Roseland, NJ 07068  
973-736-4600  
Attorney for Creditor, WRI Property Management

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IN THE MATTER OF:

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF  
NEW JERSEY

Anthony Martinez, Debtor

CHAPTER 13 CASE NO. 19-22978/MBK

HEARING DATE: January \_\_, 2019 at 9:00 a.m.

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**STATEMENT AS TO WHY NO BRIEF IS NECESSARY IN ACCORDANCE WITH  
LOCAL RULE OF BANKRUPTCY RULE 3(C)**

In the instant Motion the basis for the relief requested does not present complicated questions of fact or unique questions of law. I would submit, therefore, that no brief is necessary in the Court's consideration of this Motion.

Dated: December 11, 2019

/s/ Jeffery M. Rosenthal  
Jeffrey M. Rosenthal, Esq.  
Mandelbaum Salsburg, PC  
3 Becker Farm Road, Suite 105  
Roseland, NJ 07068

UNITED STATES BANKRUPTCY  
COURT DISTRICT OF NEW  
JERSEY

**MANDELBAUM SALSBERG, PC**

Jeffrey M. Rosenthal, Esq.

3 Becker Farm Road, Suite 105

Roseland, NJ 07068

(973) 736-4600

Attorneys for the Creditor, WRI PROPERTY MANAGEMENT

In Re:

Anthony Martinez  
Debtor

Case No.: 19-22978/MBK

Adv. No.:

Hearing Date: January \_\_, 2019 at 9:00 a.m.

Judge: Honorable Michael B. Kaplan

**ORDER TO VACATE THE ORDER TO REIMPOSE STAY AGAINST WRI  
PROPERTY MANAGEMENT**

The relief set forth on the following page, number two (2) is hereby **ORDERED**.

This matter having been presented to the Court by Mandelbaum Salsburg, PC and the court having reviewed the motion and any opposition filed, and for good cause having been shown, it is

ORDERED that:

1. The automatic stay provisions to the bankruptcy code are hereby vacated as to WRI Property Management

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:  
Anthony Martinez, Debtor

Case No.: 19-22978

Chapter: 13

Adv. No.: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Judge: \_\_\_\_\_

**CERTIFICATION OF SERVICE**

1. I, Alexa Tierney :

☐ represent \_\_\_\_\_ in this matter.

☒ am the secretary/paralegal for Jeffrey M. Rosenthal, who represents  
WRI Property Management in this matter.

☐ am the \_\_\_\_\_ in this case and am representing myself.

2. On December 13, 2019, I sent a copy of the following pleadings and/or documents  
to the parties listed in the chart below.

Notice of Motion to Vacate the Order to Reimpose Stay Against WRI Property Management

3. I certify under penalty of perjury that the above documents were sent using the mode of service  
indicated.

Date: 12/13/19

Signature





Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Jenkins & Clayman 412 White Horse Pike Audobon, NJ 08106	Attorneys for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input checked="" type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Albert Russo 1 AAA Drive Suite 101 Robbinsville, NJ 08691		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input checked="" type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
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		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)